

#### **Board Members**

Gary D. Lovejoy, Ph.D.  
Chairperson  
Fred Wiggins, Ph.D.  
Vice-Chairperson  
Ramona N. Mellott, Ph.D.  
Secretary  
Vacant – Public Member  
Joseph C. Donaldson  
Megan Hunter-Williams  
Cheryl L. Karp, Ph.D.  
Miki Paul, Ph.D.  
Frederick S. Wechsler, Psy.D. ABPP



## **State of Arizona Board of Psychologist Examiners**

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#### **Staff**

Benjamin Foster  
Executive Director  
  
Meghan B. Hinckley  
Deputy Director  
  
Victoria Kamm, CI  
Investigator  
  
Vacant  
Administrative  
Assistant

## **REGULAR SESSION MINUTES**

**Friday, October 3, 2008**

1400 West Washington  
Basement Conference Room, #B-1  
Phoenix, AZ 85007

### **1. CALL TO ORDER**

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Lovejoy at 8:40 a.m. on Friday, October 3, 2008. One Executive Session was held at 10:15 a.m. on Friday October 3, 2008.

### **2. ROLL CALL**

#### **Board Members Present**

Gary D. Lovejoy, Ph.D. - Chairman  
Fred Wiggins, Ph.D. - Vice-Chairman  
Ramona N. Mellott, Ph.D. – Secretary  
Miki Paul, Ph.D.  
Cheryl L. Karp, Ph.D.  
Frederick Wechsler, Psy.D., ABPP

#### **Staff Present**

Benjamin Foster, Executive Director  
Victoria Kamm, CI, Investigator

#### **Attorney General's Office**

Jeanne Galvin, Esq.  
Assistant Attorney General

#### **Board Members Absent**

Megan Hunter-Williams  
Joseph C. Donaldson

### **3. REMARKS/ANNOUNCEMENTS**

- **Board Member and Staff Appreciation** - Chairman Lovejoy thanked Staff for all their dedication and hard work. Chairman Lovejoy also thanked the Board members for all of their hard work on the various Committees including the Complaint Screening Committee and the Applications Review Committee.
- **CE Documentation** - Chairman Lovejoy announced that licensees could receive CE credits in Ethics for their attendance at Board meetings. Chairman Lovejoy explained that in order to obtain credit one must register on the CE roster, complete the 3 page CE record form, have the first page signed and stamped with the validation stamp, keep the first page, and submit the remaining pages to Ms. Kamm & Ms. Hinckley. It was noted that Ms. Kamm and Ms. Hinckley are the only two staff that can stamp the CE validation form. Licensees are eligible to receive 2 credits for attending the morning session, and 4 credits for all day attendance.

- **Board Assessment Forms** - Chairman Lovejoy announced to members of the public audience that the Board appreciates feedback regarding their meetings and that they read every evaluation. Chairman Lovejoy encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the box outside the Board room. Chairman Lovejoy also commended the Board members as the reviews from the June meeting were outstanding.
- **Introduction of New Executive Director** - Chairman Lovejoy welcomed Mr. Benjamin Foster to Arizona as the Board's new Executive Director.

#### 4. **CALL TO THE PUBLIC**

Chairman Lovejoy gave the public the opportunity to address the Board at this time. Dr. Faren Akins, the Arizona Psychological Association's (AzPA) liaison to the Board, discussed the meeting with Representative Bradley. Dr. Akins will be serving as the representative from AzPA regarding the Bradley legislation. Dr. Akins noted that the meeting had a positive outcome, and that attendees felt encouraged because they were starting the process early enough that all sides could come up with appropriate language to use for the bill.

#### 5. **LEGISLATIVE UPDATE**

Mr. Stuart Goodman, the Board's lobbyist, updated the Board on the two most pressing legislative issues: the new statutes and the Behavior Analyst Bill. Mr. Goodman advised the Board that seeking to raise any fees would, in effect, just be raising money that would likely be swept from our general fund. Further, raising fees would draw attention to the agency's ability to fix our own situation. He advised the Board to raise none of the fees.

Mr. Goodman also informed the Board the Representative Bradley has opened a Bill folder regarding the omnibus bill (HB 2275), providing an opportunity to fix the flaw in the Bill. In addition, the funds for regulation of the Behavior Analysts would not be from a separate fund. The Board would have to keep two sets of books in order to insure that no Psychologist funds were used to regulate Behavior Analysts.

#### 6. **PRESENTATION AND ONGOING DISCUSSION/DECISION REGARDING THE ROLES AND DUTIES OF EXECUTIVE OFFICERS OF THE BOARD**

Ms. Kamm advised the Board that some Boards had bylaws in which the duties of the executive officers are defined. Other Boards have policies in place that define the roles.

The Board directed staff to agendize a discussion of possible bylaws or policies for additional descriptions of the duties of the Executive Officers of the Board when a new Rule package is opened.

#### 7. **DISCUSSION/DECISION REGARDING CURRENT AND FUTURE PROPOSED STATUTE AND RULE REVISIONS, SPECIFICALLY A.R.S. §32-2061(A)(13)(z), A.R.S. §32-2061(B), AND A.R.S. §32-2067 –Chairman Lovejoy**

Chairman Lovejoy reported that A.R.S. §32-2061(A)(13)(z) should have added to it, "Reporting of possible acts of unprofessional conduct shall be done in a manner consistent with ethical standards contained in "Ethical Principles of Psychologists and Code of Conduct" adopted by the American Psychological Association in effect at the time of the reporting." The rationale behind the change would be to **ensure consistency for reporting guidelines.**

Dr. Wechsler made a motion, seconded by Dr. Wiggins, and carried unanimously (6-0), to make the above noted changes and amendments.

In addition, Chairman Lovejoy noted that by changing the language of A.R.S. §32-2061(B), the Board inadvertently reversed the sex offender statute that protected psychologists who were involved in sex offender evaluations through the corrections system. Chairman Lovejoy proposed that the original language of A.R.S. §32-2061(B) be reinstated and that the following language should be added in addition to the original: "A complaint against a judicially appointed psychologist arising out of a court ordered evaluation, treatment or psychoeducation of a person shall not be deemed by the board to present a charge of unprofessional conduct unless the court ordering the evaluation, treatment or psychoeducation has found a substantial basis to refer the complaint for consideration by the board." In addition he felt that the use of psychoeducation needed to be added as well in order to encompass a broader means of treatment offered by those who provide forensic psychology.

Lastly, Chairman Lovejoy referred back to Mr. Goodman's presentation regarding increasing the fees for licensees in light of the current bills and legislation being passed. Chairman Lovejoy urged Board members to reconsider raising these fees. After discussion, Dr. Wechsler made a motion, **seconded by Dr. Karp and carried (5-1 with Dr. Paul opposed)**, to make the above noted changes and amendments to the omnibus bill and return the amended document to Mr. Goodman.

**8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING LETTER DATED JULY 2008 SENT TO BOARD MEMBERS CONCERNING JOHN KENT, PH.D. AND ALLEGED CONTENTS OF RADIO PROGRAM**

Ms. Kamm reported that letters had been received at the Board office, and by individual Board members indicating that Dr. Kent was possibly practicing Psychology during an on-air radio show. Dr. Kent's Arizona license to practice Psychology is currently medically inactive. She advised the Board that it was likely that the letters were sent by Dr. Kent himself, due to the similarity of the handwriting on the envelopes and a known sample of Dr. Kent's handwriting. Ms. Kamm reported that she had listened to one of the radio programs, and had recorded the program. She advised the Board that a disclaimer was made at the beginning of the show, and that Dr. Kent did not at any time appear to be practicing Psychology.

The Board entered into Executive Session for legal advice.

The Board discussed the possibility of sending a warning letter to Dr. Kent, with a copy to the radio station. Ms. Kamm reminded the Board that there was no evidence that Dr. Kent was practicing Psychology without a license. The Board expressed concern regarding Dr. Kent's mentation given recent correspondences. The Board then came to a consensus to table the issue until the matter can be reviewed by the Assistant Attorney General.

The Board directed staff to issue Dr. Kent a friendly letter inquiring about his intention to secure an evaluation, and to put Dr. Kent's current Board Order on the December 5, 2008 agenda for discussion.

**9. DISCUSSION/DESCISION REGARDING REACTIVATION OF INACTIVE LICENSE #3796, MELISSA AZRIPE, PSY.D.**

Dr. Paul advised the Board that Dr. Arizpe was eligible for reinstatement, and made a motion to activate her license. The Motion was seconded by Dr. Mellott, and carried (5-0).

**10. EXECUTIVE DIRECTOR'S REPORT**

- **Financial/Budget Presentation** – Mr. Foster yielded to the Board's lobbyist, Stuart Goodman.
- **Legislative Updates** – Mr. Foster yielded to the Board's lobbyist, Stuart Goodman.

- **Public Member Vacancy** – Mr. Foster advised the Board that Ms. Del-Colle had officially resigned her position as a Public Member for the Board. The Governor's office was duly notified. He asked any interested parties to submit their resumes to the Board office.

#### 11. **LICENSING REPORT**

- **New Licenses Issued** – Ms. Kamm reported that the Board had licensed 12 psychologists since the August 1, 2008 meeting and that the Board had licensed 30 psychologists this calendar year.
- **EPPP Results** – Ms. Kamm reported that seven applicants had passed the Examination for Professional Practice in Psychology.

#### 12. **INVESTIGATIONS REPORT**

- **New Cases Received** – Ms. Kamm reported that since the August 1, 2008 Board meeting, the Board has received 1 complaint. The total for the calendar year is 23.
- **Cases Resolved** - Ms. Kamm reported that for the calendar year, 15 cases have been dismissed at the CSC level, 1 case referred to the full Board, 1 case administratively closed. Two cases are on the October 8, 2008 CSC agenda, and 5 cases are currently under investigation.
- **Inquiries from Other Agencies or Boards** - Ms. Kamm reported that for the calendar year, there have been 2 inquiries from other agencies or states. Regarding John Kent, PhD, the BBHE and Homeopathic Board have inquired as to his licensing status regarding letters they had received.
- **Title Violations Report** – Ms. Kamm reported on agenda item number 8.

#### 13. **DISCUSSION/DECISION REGARDING APPLICATIONS –**

##### ➤ **REQUESTING EXAMINATION**

Dr. Wiggins made a motion, seconded by Dr. Lovejoy, and unanimously carried (6-0), that the following applicants, having obtained a doctoral degree in psychology as required under A.R.S. § 32-2071, be approved to sit for the Examination for Professional Practice in Psychology (EPPP):

- Beth Elia, Psy.D.
- Tara Krog, Ph.D.
- Robert Stockman, Ph.D.

##### ➤ **REQUESTING EXAMINATION & LICENSURE**

Dr. Wiggins made a motion, seconded by Dr. Lovejoy, and unanimously carried (6-0), that the following applicants, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the EPPP and for licensure upon receipt of a passing score on the examination, and payment of the pro-rated original license fee:

- Ashley Bittel, Psy.D.
- Jason Frizzell, Ph.D.
- Nicole Lazorwitz, Psy.D.
- Karlaye Rafindadi, Ph.D.

##### ➤ **REQUESTING LICENSURE UPON COMPLETION & APPROVAL OF POST-DOC HOURS**

Dr. Wiggins made a motion, seconded by Dr. Lovejoy, and unanimously carried (6-0), that the following applicants, having met the requirements of A.R.S. § 32-2071.01(A), having passed the EPPP with a score of 70% or better and completed his post-doctoral hours, be approved for licensure upon payment of the pro-rated original license fee.

- Lori Montgomery, Psy.D.
- James Bludworth, Ph.D.

**14. NEW BUSINESS OR FUTURE AGENDA ITEMS**

The Board directed staff to research other Board of the same size, scope, and authority regarding whether or not they adopted bylaws and what the content and scope of those bylaws were. All information and research was to be presented at a future Board meeting.

**15. ADJOURNMENT**

There being no further business to come before the Board, a motion was made by Dr. Lovejoy, seconded by Dr. Karp, and unanimously carried (6-0), to adjourn the meeting at 1:40 p.m.

**Prepared by:  
Meghan B. Hinckley,  
Deputy Director**

**Respectfully submitted,**

**Ramona N. Mellott, Ph.D.  
Secretary**